

# ITEM 5-B

## PLANNING BOARD STAFF REPORT

**DATE:** March 28, 2011

**TO:** HONORABLE PRESIDENT AND MEMBERS OF THE  
PLANNING BOARD

**FROM:** Dennis Brighton  
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**APPLICATIONS:** **Alameda Municipal Code (AMC) Text Amendments – Applicant – City of Alameda.** Three amendments to the AMC, Section 30, Development Regulations. The first amendment would permit the use of portable free standing or A-frame signs within the front two and one-half feet of a storefront within the Webster Street, C-C, Community Commercial Zoning District subject to obtaining a City Encroachment Permit. The second amendment would permit building heights to be increased to five (5) stories with a maximum height of sixty (60) feet along the Westerly side of Webster Street C-C, Zoning District, between Ralph Appazatto Parkway and Eagle Avenue and permits four (4) stories with a maximum height of fifty (50) feet between Eagle Avenue and Buena Vista Avenue. The third amendment would permit a sixty (60) foot non-habitable tower or monument at the South terminus of Webster Street.

### **BACKGROUND**

The City of Alameda prepared the Webster Street Vision Plan in 2010 as part of the ongoing effort to revitalize the Webster Street business district and reinforce its role as the heart of the west Alameda life and a gateway to the island. The Webster Street Vision Plan serves as the impetus for the recommended zoning text amendments.

Staff is proposing four text amendments to the Municipal Code. These amendments would affect AMC, Sections 30-4.9A(g)(C-C, Community Commercial Zone, Development Regulations and 30-6.9(Prohibited Signs). The draft amendments are included in attachment, Exhibit A.)

#### A Frame Signs and Menu Boards

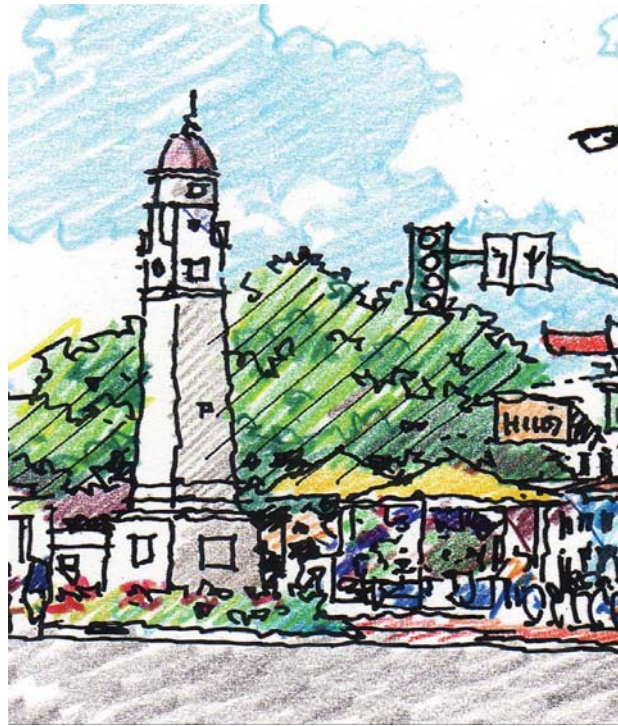
The first amendment would permit the use of portable free standing or A-frame signs within the front two and one-half feet of a storefront within the Webster Street, C-C, Community Commercial Zoning District, subject to obtaining a City Encroachment Permit. The front two and one-half feet of sidewalk from a storefront is defined as the “marketing zone” in the Webster Street Vision Plan. AMC, Section 22-21.5 currently permits the display of commercial merchandise within this area of the sidewalk.



Building Heights. The second amendment would increase building heights from three stories and forty feet to five stories and sixty feet on one block on the westerly side of Webster Street C-C, Zoning District, between Ralph Appazatto Parkway and Eagle Avenue. This amendment will eliminate the current regulatory barriers to redevelopment of the Day's Inn site as shown in the Webster Street Vision Plan.



Tower Feature The third amendment would permit a sixty-foot non-habitable tower or monument at the South terminus of Webster Street up to sixty feet in height. As detailed in the Webster Street Vision Plan, the tower monument would establish a visual landmark that would define the south terminus of the Webster Street commercial area.



## **ANALYSIS**

**A Frame Signs and Menu Boards:** The AMC currently prohibits portable freestanding signs in all commercial and industrial districts. The recommended text amendment would permit such signs within two and ½ feet of the front of a storefront in the Webster Street commercial zoning district to allow restaurants, retail stores, and other Webster Street merchants to advertise their goods and services in front of their stores. Done appropriately, these signs can add interest to the shopping and pedestrian experience and give the district a sense of vitality and energy. AMC Section 22-21.5 already permits merchandise to be placed in this location. The added requirement for a City Encroachment Permit allows the City to review the sidewalk conditions in front of the building to determine if the sign installation would not block the use of the sidewalk and would be generally safe in its location. The recommended amendment limits each panel of the sign to 24-inches in width, 36-inches in height, with a maximum height of 48-inches.

**Building Height Limits:** The proposal to permit an increase in building height at the northwesterly portion of Webster Street from the existing maximum height of three stories and forty feet to a maximum height of five stories and sixty feet is recommended to remove regulatory barriers to redevelopment of this block.



As shown in the illustrations in the Vision Plan, the Day's Inn site is an ideal site for a hotel complex because its large size and its location abutting the future beltline linear park at the main gateway to the Webster Street commercial district and the rest of the City of Alameda. Located on a major AC Transit route, the Days Inn site is within minutes of downtown Oakland, BART, and within 5 to 10 minutes of the Oakland Airport.

It should be noted that the City has not received any indication that the owners of the Days Inn site is interested in redeveloping the property and no such application has been received. However, by changing the height limit and including the illustration of a redeveloped site in the Vision Plan, the City is attempting to articulate a clear message to the property owners and any future investors in the property that the City would be willing and generally supportive of a proposal that reflects the scale drawings shown in the Webster Street Vision Plan.

Tower/Monument: The proposed code amendment would permit the opportunity for a sixty-foot monument at the south terminus of Webster Street. The monument would define the southern terminus of the Webster Street commercial district and create a unique symbolic link the City's history and the Neptune Beach. Re-creation of the Neptune Tower would also provide an interesting counter point to the historic Webster and Posey Tube Portal which provides a similar accent at the northern end of Webster Street. Although the original Neptune Tower was well over 60 feet in height, staff is recommending a 60 foot height limit for such a tower because it would reflect the 60 foot height limit that is proposed for the Days Inn site and the space available at the foot of Webster Street would probably not allow a tower of any greater height.

It should be understood that the proposed zoning text amendment would not cause this monument to be constructed. No such proposal has been made to the City and the City of Alameda is not proposing to construct any such monument at this time. However, if funds become available or the Webster Street community is able to fund construction of the monument, this amendment would eliminate the current regulatory barriers to any structure over 40 feet.

#### **FINDINGS:**

Staff recommends approval for the text amendments based on the findings required by the Alameda Municipal Code, 30-22.5 that states that the Planning Board must weigh:

1. **The effect of the proposed amendments on the integrity of the General Plan.** The proposed zoning text amendments support General Plan goals for walkable, pleasant, commercially vital, visually appealing commercial districts.
2. **The effect of the proposed amendments on the general welfare of the community.** The proposed zoning text amendments support commercial

vitality and attractive development of the Webster Street commercial district to support and serve the west end of Alameda.

3. **The equitableness of the proposal.** The proposed zoning amendment is equitable in that it establishes a process for business owners in the Webster Street commercial area to maintain flexibility in the advertisement of their wares and to ensure attractive and orderly, development that is in scale with the surrounding developments.

### **ENVIRONMENTAL REVIEW**

The proposed amendments are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitations.

### **PUBLIC NOTICE**

A notice for this hearing published in the Alameda Journal and posted at the subject property. Staff has not received any public comments on the proposed zoning text.

### **RECOMMENDATION**

That the Planning Board approves the attached resolution recommending approval of the proposed amendments to the City Council.

RESPECTFULLY SUBMITTED BY:

REVIEWED BY:

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Dennis Brighton  
PLANNER II

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Andrew Thomas  
PLANNING SERVICES MANAGER

Attachment(s):

1. Draft Resolution
2. Exhibit A - Draft Amendments



DRAFT  
CITY OF ALAMEDA PLANNING BOARD  
**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING APPROVAL OF ZONING TEXT AMENDMENT TO THE ALAMEDA MUNICIPAL CODE TO PERMIT PORTABLE FREE-STANDING SIGNS WITHIN THE WEBSTER STREET C-C, COMMUNITY COMMERCIAL ZONING DISTRICT SUBJECT TO A CITY ENCROACHMENT PERMIT, TO PERMIT BUILDING HEIGHTS TO BE INCREASED TO FIVE STORIES WITH A MAXIMUM HEIGHT OF SIXTY FEET ALONG THE WESTERLY SIDE OF WEBSTER STREET BETWEEN RALPH APPAZATTO PARKWAY AND EAGLE AVENUE, AND PERMIT A TOWER MONUMENT OF UP TO 60 FEET AT THE SOUTHERLY TERMINUS OF WEBSTER STREET.

WHEREAS, the Alameda Municipal Code (AMC) requires amendment to reflect current plans for Webster Street and to more clearly define development standards; and

WHEREAS, the visual and aesthetic quality of commercial properties is critical to maintaining property values in these areas and maintaining a successful business environment; and

WHEREAS, the historic Alameda commercial districts and the appearance of these districts is critical to the economic health of the community, and

WHEREAS, the attractive use and orderly development of commercial properties must be carefully managed to ensure that they do not result in negative affects on neighboring properties; and

WHEREAS, the Planning Board held a public hearing on March 28, 2011 and considered all relevant material and public comments and has made the following findings concerning the project:

1. **The effect of the proposed amendments on the integrity of the General Plan.** The proposed zoning text amendments support General Plan goals for walkable, pleasant, commercially vital, visually appealing commercial districts.
2. **The effect of the proposed amendments on the general welfare of the community.** The proposed zoning text amendments support commercial vitality and attractive development of the Webster Street commercial district to support and serve the west end of Alameda.
3. **The equitableness of the proposal.** The proposed zoning amendment is equitable in that

it establishes a process for business owners in the Webster Street commercial area to maintain flexibility in the advertisement of their wares and to ensure attractive and orderly, development that is in scale with the surrounding developments.

BE IT RESOLVED THAT, the proposed amendments are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitations. The proposed amendments do not increase the intensity or density of use that is generally permitted in the C-C, Community Commercial Zoning districts.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby recommends to approval of the zoning text amendments shown in Exhibit 1 and Exhibit 2

\* \* \* \*

Exhibit A  
Draft Amendments

Note: New text is in **bold font**, removed text is in ~~strikeout~~ font.

**30-4.9A(C-C, Community Commercial Zone)**

g. *Development Regulations.*

1. Lot Area and Lot Width: None.
2. Building Height Limit: Building height shall be regulated as follows: Park Street District--Maximum height shall be five (5) stories but not to exceed sixty (60') feet for properties fronting on Park Street north of Encinal Avenue. In the remaining areas of the Park Street C-C District the height limit shall be three (3) stories but not to exceed forty (40') feet and the height within this area may be increased to a maximum of five (5) stories but not to exceed sixty (60') feet upon approval of a use permit. Parking structures, including parking structures which have a commercial use component, are exempt from the height limit provided the structure does not exceed six (6) stories, the commercial floor area does not exceed fifty (50%) percent of the overall floor area of the structure, and public parking is provided in addition to the parking required for the commercial component.

Webster Street District—Maximum height shall be three (3) stories but not to exceed forty (40') feet throughout the C-C District; except that, **a maximum height of five (5) stories but not to exceed sixty (60') feet may be permitted on properties on the west side of Webster Street between Ralf Appazatto Parkway and Eagle Avenue. A non-habitable ornamental tower may be permitted up to sixty (60') feet at the southerly terminus of Webster Street at Central Avenue.**

3. Building Coverage: Buildings may cover one hundred (100%) percent of the building site, provided the ratio of all floor space to lot size shall not exceed three (3) to one (1).
4. Front Yard: None.
5. Side Yard: No yard or a minimum of twelve (12') feet, however, where any lot abuts a residential district there shall be a minimum side yard of five (5') feet.
6. Rear Yard: None, however, where the rear portion of the lot is accessible from a street, alley or parking lot, or combination thereof, the rear yard shall be a minimum of twelve (12') feet; provided, further, that any structure may project over such required rear yard if a fourteen (14') foot clear vertical distance between the structure and ground level is maintained.



Exhibit A (continued)

**30-6.9 Prohibited Signs.**

Note: New text is in **bold font**, removed text is in ~~strikeout~~ font.

- a. Obscene or Offensive to Morals. Signs containing statements, words, or pictures of an obscene, indecent or immoral character which appeal to the prurient interest in sex, or which are patently offensive and do not have serious literary, artistic, political or scientific value are prohibited.
- b. Hazards to Traffic. Other than when used for traffic direction, signs which contain or are an imitation of official traffic signs or signals are prohibited. No sign shall be erected in such a manner that its size, location, content, colors, or illuminations will interfere with, obstruct, confuse or mislead traffic.
- c. Hazards to Exits. No sign shall be erected in such a manner that any portion of the sign or its support is attached to, or will interfere with, the free use of any fire escape, exit, or standpipe. No sign shall be erected which will obstruct any required stairway, door, ventilator or window.
- d. Roof Locations. Signs erected upon or extending above any part of a roof or false roof structure are prohibited.
- e. Motion Devices. Signs utilizing flashing lights, changing of color intensity, or mechanical moving parts are prohibited including all moving signs. (Exceptions: historic signs, barber poles and, with a use permit, animated signs but only if determined by the use permit to have outstanding artistic merit.)
- f. Excess Area. Signs in excess of fifty (50) square feet.
- g. Windblown Devices. Except for exempt flags and banners, use of windblown or inflatable devices of any type is prohibited, including the production of smoke, bubbles, sound, or other substances.
- h. Portable Freestanding Sign. Portable freestanding signs are prohibited except for: (1) ~~temporary~~ **Temporary** service station and real estate signs on medians of public roads and sidewalks. Such temporary service station and real estate signs may not be placed on medians or sidewalks in a manner which obstructs pedestrian or vehicular traffic, or lines of sight. **(2) Portable freestanding signs within two and one-half (2 1/2') feet of a commercial storefront in compliance with AMC, Section 22-21.5 and subject to issuance of a City Encroachment Permit within the Webster Street Community Commercial Zoning district. Each panel of the portable or A-frame sign shall not exceed a width of twenty-four (24") inches and a height of thirty-six (36") inches. The total height of the sign shall not exceed forty-eight (48") inches when the A-frame panels are in place, including the message panels and any legs or other supports.**